

VZCZCXRO4940  
RR RUEHAG RUEHDF RUEHIK RUEHLZ RUEHROV  
DE RUEHW #0823/01 1931311  
ZNR UUUUU ZZH  
R 111311Z JUL 08  
FM AMEMBASSY WARSAW  
TO RUEHC/SECSTATE WASHDC 6740  
RUEHRC/DEPT OF AGRICULTURE WASHDC  
RUEHBS/USEU BRUSSELS  
INFO RUEHKW/AMCONSUL KRAKOW 2128  
RUCNMEM/EU MEMBER STATES

UNCLAS SECTION 01 OF 02 WARSAW 000823

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USDA FOR FAS/OSTA MHENNEY, LJONES; FAS/OFSO DYOUNG  
USDA FOR FAS/OCRA/RCURTIS, DSEIDBAND  
BRUSSELS PASS AG MINISTER COUNSELOR;  
EUROPEAN POSTS FOR AGR/ECON

SENSITIVE

E.O. 12958: N/A  
TAGS: EAGR ECON ETRD TBIO PGOV PL  
SUBJECT: POLAND MAY AVOID GM ANIMAL FEED BAN

WARSAW 00000823 001.2 OF 002

¶1. (U) Summary. Legislation to delay a ban on genetically modified crops in animal feed until 2012 will likely be signed by President Kaczynski soon after he receives it from the Parliament. The Sejm (parliament) and Senate gave final approval to the legislation July 11 and will send the draft law to the President soon. The ban would have prohibited biotechnology events in animal feeds from August 11, 2008. Postponement of the ban will be due to concerted efforts of domestic animal producers, local government officials, U.S. trade associations, and Embassy officers from the Agriculture, Economic, Commercial, and Public Affairs Sections. The EU Commission did nothing to educate Poland about the need to comply with its regulations on biotechnology, ignoring the issue.

¶2. (U) In 2006, Poland passed a law to prohibit the use of any animal feed derived from genetically modified (GM) products beginning August 11, 2008. Due to already high feed prices, animal agriculture in Poland is struggling to survive. The additional expense for premium non-GM feed would be devastating to Poland's animal production. Poland risked a \$6.4 billion loss in production of pork, dairy, and poultry, as there is no alternative to using imported, modified soybeans in animal feed. Poland's Ministry of Agriculture successfully forced the issue passed the Ministry of Environment, which staunchly opposes biotechnology.

¶3. (U) A new law delaying the ban's implementation until 2012 will likely be signed by the President and become law. The ban looks headed towards postponement due to a coalition of domestic animal producers and regional politicians, influenced by the U.S. Embassy and U.S. trade associations. U.S. Embassy Poland worked directly with the Ministry of Agriculture, producer groups and the opposition party, which holds the Presidency in Poland, to make them aware of the ban's potential effects on Polish agriculture. Embassy Warsaw hosted the American Soybean Association several times over the last year to inform Polish producers about the asynchronous approval problem caused by delays in approval of GM varieties by the EU Commission. This outreach spilled over to help galvanize action in Poland on the feed ban. The Commission was never heard in the debate, except for the threat of a fine if Poland did not bring its legislation into conformity with EU law. Most soybeans used in Poland come from Argentina, but the ban would have damaged U.S. agricultural investments and outlawed about \$100 million in prepared feed that are derived from U.S. soybeans.

¶4. (SBU) Post correctly identified Jan Krzysztof Ardanowski, Advisor to the President on Agriculture, as a man with the President's ear

and an important critic of agricultural biotechnology. USDA hosted Ardanowski in the United States for a June visit to Washington, DC; Michigan; and Illinois that seems to have been critical to changing his understanding of the technology and resolving the crisis. Ardanowski was briefed by Foreign Agricultural Service Administrator Michael Yost, FAS/Office of Science and Technical Affairs Peter Schmeissner and others. FAS Attach Kate Snipes accompanied Ardanowski with a four-member delegation, including members of Poland's Ministry of Agriculture, to learn about agricultural biotechnology and biofuels. July 9, Ardanowski told Ag Counselor that U.S. efforts to educate Polish leaders on biotechnology influenced their decision to work toward a delay of the GM feed ban and urged future U.S. engagement. He added that that this visit directly influenced his decision to recommend the four-year delay of the GM ban to the Polish Senate and President. (Comment: Ardanowski's voice proved to be the decisive one in the parliamentary debate in the Senate. His own political party, the Law and Justice Party (PIS) introduced the ban, and in the face of opposition from members of his own party he supported the four year delay. He remains a skeptic, but clearly had his eyes opened during his visit. End comment.)

¶5. (SBU) Ardanowski said that there is more work to be done in Poland for farmer education, extension workers, and government officials on agricultural biotechnology and asked for future U.S. engagement and support. He said that these efforts would help Poland to make a more educated decision about the technology. Ardanowski did repeat thoughts prevalent in Europe that using protein feeds derived from non-ruminant animals in place of soybeans is an alternative to the biotech approval delay. Next, Post has been invited to organize a visit of nationally recognized Polish scientists to Opole, in Poland's corn belt, for a briefing of regional leaders more interested in the technology for cultivation. Poland's recently retired Nutrition Institute chief has agreed to accompany emboffs and speak on behalf of the technology. Poland

WARSAW 00000823 002.2 OF 002

annually loses \$400 million worth of corn crop to the European Corn Borer and producers cannot ignore any longer the damage done to the farm economy from this pest.

¶6. (SBU) Comment. While it will be a few weeks yet until formal signature by the President of a postponement to the feed ban, it currently seems headed in the right direction. The GM feed ban has been delayed not overturned, but experts think the feed ban to be a dead issue. Now there is a coalition to work with that wants to change Poland's policy, educated about the perils of turning their back on the global trends in biotechnology. End Comment.